

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

SIR GIORGIO SANFORD CLARDY,

2:15-cv-00412-YY

Petitioner,

ORDER

v.

STATE OF OREGON, et al.,

Respondents.

BROWN, Judge.

Magistrate Judge Youlee Yim You issued Findings and Recommendation (#53) on November 14, 2016, in which she recommends the Court deny Petitioner Sir Georgio Sanford Clardy's Petition (#2) for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, enter a judgment dismissing this matter with prejudice, and decline to issue a certificate of appealability. On May 23, 2017, Petitioner, through counsel, filed timely Objections to the Findings and Recommendation. On June 1, 2017, Petitioner also filed *pro se* Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*).

This Court has carefully considered Petitioner's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge You's Findings and Recommendation (#53) and, therefore, **DENIES** the Petition (#2) for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, **DISMISSES** this matter **with prejudice**, and **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

DATED this 30<sup>th</sup> day of June, 2017.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge